

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00171

Gary Ladale Criston,

Plaintiff,

v.

Gregg County District Court Magistrate et al.,

Defendants.


ORDER

Plaintiff Gary Ladale Criston filed this civil action alleging violations of the Eighth Amendment and claims for libel and slander. Doc. 1. The cause of action was referred to United States Magistrate Judge John D. Love, who issued a report recommending that plaintiff's claims be dismissed for failure to state a claim and lack of subject-matter jurisdiction. Doc. 5.

Neither party has filed objections to the report and recommendation. The court therefore reviews the magistrate judge's findings for clear error or abuse of discretion and reviews his legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a magistrate judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court **accepts** its findings and recommendation. Plaintiff's claims are **dismissed without prejudice**.

So ordered by the court on March 9, 2021.



J. CAMPBELL BARKER
United States District Judge